

Department of Pesticide Regulations
Agricultural Pest Control Advisory Committee
Meeting Minutes

Date: Tuesday, December 3, 2002
Time: 9:30 a.m. – 12:30pm
Location: Cal EPA Building
Training Room, East and West
1001 I Street
Sacramento, CA 95812

Members Present: (04) Scott Hudson- County Agricultural Commissioner Association, Thomas LoCoco- Commercial Applicator Certificate Holders, Patrick O'Connor Marer- University of California, Barbara Todd- Department of Food and Agriculture.

Department Staff: David Duncan- Chair of Committee (ch), Belinda Messenger, Bob Elliott, Nan Gorder, Tanya Harris, Sandy Ratliff, Cynthia Ray, Lisa Ross, and Mac Takeda

Guests: Dr. Mary Louise Flint- University of California, and Judy Letterman- PAPA

Members Absent: (10) Tim Butler – Registrants, Ronald Cisney –Agricultural Pest Control Businesses, Michael Costello-California State University System, David Desilva- Board of Governors for Community Colleges, Jack Kerns- Pest Control Maintenance Gardeners, Mike Kennedy- Pesticide Dealers, Jean La Duc- General Public, Linda LaVanne- Agricultural Pest Control Advisers, Richard Stoltz- Pest Control Aircraft Pilots, Rayne Thompson- Producers

AGENDA

INTRODUCTION OF MEMBERS AND OTHERS IN ATTENDANCE:

David Duncan (ch) opened the meeting by welcoming everyone and asked attendees to introduce themselves.

REVIEW AND APPROVAL OF SEPTEMBER 13, 2002 MINUTES

M/S to approve the minutes as written with the following change: David De Silva's name needs to be added to Member Absent list - Minutes approved.

LICENSING RENEWAL UPDATE:

Tanya passed out charts of current statistics on renewals comparing 2001 and 2002. Currently we have 40% of the business and 46% of the individuals licenses renewed. The 2001 and 2002 statistic comparison indicates a more even flow of renewals into our office since we started the renewal process earlier and provided timelines to our licensees. Also we noticed a drop in telephone calls.

- November 2001 - 4392 calls
- November 2002 - 2880 calls

David commented that he was disappointed in these percentages, since renewal notices were sent out in September, and the licensing program currently has no backlog. Tanya stated that currently the turn around for license or certificate issuance has been around two (2) weeks. Last week the Records of Collections (RC), which include the renewals, are coming in larger batches, as a result this will increase the turn around time to about 3 to 4 weeks. The department is hoping to have 80% of the licenses and certificates renewed by the end of December 2002.

The licensing program this year assigned a staff person as a trouble-shooter for renewals. This individual has been invaluable in taking care of problems such as:

- ❖ Check received with no renewal documents
- ❖ Renewal documents with no checks
- ❖ Visa statement with no renewal documents

The trouble-shooter objective is to contact the person or organization that has the problem. This person will obtain all information required or fee before the Technician the documents.

Tanya stated that many individuals were still sending in their renewal with no continued education hours. She felt that individuals still think that PAPA, CAPCA and the industry send their hours to DPR.

David comment was with DPR sending renewals out early and the great press from PAPA, CAPCA in their respective newsletters on the department's time frames and renewal process helped considerably in having a smooth renewal this period.

Judy stated she feels the licensing program has been doing a good job, she is not receiving complaints this year.

Additional items regarding Licensing program:

Embosser machine (prints individual plastic license and certificate cards) is now hooked up to the licensing computer data base system. When an individual's renewal file is updated in the data base system, the following day all updated files are batched by license/certificate type and printed. This has made for better quality control and an efficient system. This process is now being used.

Scantron (grading machine for exams) examination scores will be automatically entered into the licensing computer database. This will help in expediting the processing time, since it will be a direct entry into the database rather than a second manual entry. It will also result in better accuracy. This automated process is still being worked on.

LXR Software will be used to develop the advisers examinations. The LXR software will allow the department to generate exams by either using different examination formats, scrambling questions, or to make different versions of the examination. The scantron grading the examination will be programmed to know which examination it would be correcting. Also, we will be generating our own scantron form which will contain all of the examinee's information, test site, title of test, date and student I.D. number, therefore he/she would not be required to fill out their own scantron. This automated process is to be completed by May 2003.

David is on a CTAG committee that is dealing with on-line-testing and proctoring of examinations. He is in the process of writing an issue paper on the topic. In regards to on-line testing, David had concerns on control of the exams at the examination site. He stated the on-line testing exams would still need to be monitored. However, this form of testing is for down the road.

Rulemaking concepts recap:

Section 6510. Renewal of Pest Control Licenses for Individuals

Continuing education course requirements must be fulfilled before the license or certificate expires. The renewal application and payment may be submitted as much as one year latter.

DPR proposes to amend Title 3, California Code of Regulations (3, CCR) section 6510 in order to have a shorter “ grace period” (one, two or three-months) to renew their license after expiration date based on the postmark date on the application.

The committee recommendation for the grace period after expiration was (3) three months. It was asked if the proposed regulations would be in effect for the M-Z licensing expiring the end of 2003. David indicated it would be difficult since the regulation process involves creating a text of the regulation, a statement of reason, and notices which are mailed out to interested persons. If you are on the department’s mailing list, you will receive a notice. The interested persons have 45 days to respond with comments to our Department or request a hearing. Once we have received the comments and responded. We submit our final statement of reasons to OAL for approval. OAL has 60 day after that period to give to the Secretary of State, then it s approved. Once it has been approved DPR will begin outreach to the licenses impacted.

This proposal has to be placed on the Rule making calendar then it is created as a notice of regulation, after this we have 1 year to get back to OAL with the whole package.

6500, License Duration- 3 year License Duration, to replace the two-year license duration.

This concept is to help cut the licensing and certification renewal workload by 1/3. It would not decrease the fee we receive since the fee will triple by making it a (3) three-year license/certificate.

This concept is still on hold

6502, License/Certificate application revision for individuals- this is the information that goes on an application which is set by the director.

The committee asked at the last meeting for DPR to look into other possibilities beside Social Security Numbers (SSN) as identifiers.

David had staff look into General Service and Consumer Affairs on line licensing and what they were using as identifiers. They stated that the only information used is SSN. David said they were not willing to discuss any other means.

David said at this time we really don’t have the funds or staffing to research it any further. The committee after hearing this was still undecided; they still would like DPR to look further into two forms of I.D., like Drivers License, Work I.D. etc.

Private Applicator Continuing Education Requirement

No comments from the committee.

Subcategories to Category A & B - These categories are in policy and the department want to put them into regulations.

No comments from the committee

Pest Management letters on Licensing and Certification – Mac Takeda

1. Continuing Education and Renewal Procedures for Private Applicator Certificate Holders (Food and Agricultural Code, Section 14099)

This letter refers to the sunset of Food and Agricultural Code (FAC) section 14099 and the process of renewing private applicator certificates through continuing education (CE). The Department of Pesticide Regulation (DPR) will continue to honor the CE renewal process as described in sunset statute until regulations are formally adopted to replace the law. DPR is currently drafting regulation that will allow private applicators to renew their certification with CE. The department plans to have the regulation in place within about six months. In the meantime DPR will maintain the status quo through policy and allow private applicator certificate holders to obtain hours or pass a written examination to renew their certificates.

2. New Agricultural Pest Control Adviser Requirements

Effective January 1, 2003, individuals applying for a Pest Control Adviser License (PCA) will be required to comply with the new mandatory educational requirements as stated in Title 3, California Code of Regulations (3CCR) section 6550.

Since the Scheduled October 2002 examination was cancelled, the Department is extending testing until April 30, 2003, for those who qualify under the old 2002 adviser applicant educational requirements. No exceptions will be given after April 30, 2003.

Question was asked why this requirement was changed? The Pest Management Advisory committee made a recommendation for the change; they felt adviser needed more pest management background, as this would help them in making better pest control decisions. It was also presented to the Agricultural Pest Control Advisory committee and they went forward with the recommendations.

At this time the core subject areas are being worked on by Drs. Michael Costello and Mary Louise Flint. They should be able to provide us with an update at the next meeting.

3. Clopyralid Sale Restrictions – Chapter 591, Statutes of 2002 (AB 2356)

The letter explains that products containing clopyralid be sold only by licensed Pest Control Dealers and only to qualified applicator license and certificate holders with the proper category (B) Landscape Maintenance.

All three letters were given to the committee members for their information.

The committee discussed scheduling calendar of meeting for the whole year. The best days are Wednesday or Thursdays.

NEXT MEETING AGENDAS:

- 1. Subcategory for Microbial Pest Control**
- 2. Update on Adviser Core Course Requirements**

If anyone has any other agenda items please contact David Duncan